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IN THE

Supreme Court of the United States

OCTOBER TERM, 1957

No. ~~939~~ 53

THE PEOPLE OF THE STATE OF NEW YORK,
Petitioner,

v.

JOSEPH C. O'NEILL,
Respondent.

On Writ Of Certiorari To The Supreme Court Of Florida

MOTION FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE

THE NATIONAL CONFERENCE OF
COMMISSIONERS ON UNIFORM STATE LAWS

By JAMES C. DEZENDORF
President

Pacific Building
Portland 4, Oregon

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Counsel

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Chicago 4, Illinois

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To the Honorable Chief Justice and Associate Justices of the Supreme Court of the United States:

The National Conference of Commissioners on Uniform State Laws respectfully moves for leave to file a brief as *amicus curiae* in this case. The Conference membership consists of the Commissioners who are appointed by the executive authority in the several states. The purpose of the Conference is to bring about uniformity of state laws. To accomplish this purpose, the Conference drafts and approves acts which are recommended for adoption in all of the states.

The consent of the attorney for the petitioner to file a brief has been obtained. The consent of the attorney for the respondent has been requested but it has not been granted.

The interest of the National Conference of Commissioners on Uniform State Laws arises from the fact that in this case the Supreme Court of Florida has held unconstitutional under the privileges and immunities clauses of Article IV, Section 2, and of the Fourteenth Amendment of the United States Constitution the "Uniform Act to Secure the Attendance of Witnesses from Without a State in Criminal Proceedings." The Act was drafted and approved by the Conference in 1931, and as amended it was reapproved in 1936. The Act has been adopted and is presently in effect in 42 states and in Puerto Rico. This Act has served a very useful purpose in aiding in the enforcement of the criminal laws of the states in which it has been enacted. The Conference and the individual commissioners have actively urged the enactment of this legislation in all of the states. If the decision of the lower court is sustained, it will make the Act ineffective in all of the states.

The National Conference of Commissioners on Uniform State Laws respectfully prays that it be given permission to file a brief *amicus curiae* in order to present arguments, view points and emphases in this case, which the parties themselves may not present.

THE NATIONAL CONFERENCE OF
COMMISSIONERS ON UNIFORM STATE LAWS

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